

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
(Northern Division)

ALMA MINOR,

*

Plaintiff,

*

v.

*

Case No.: 20-3355

FAMILY DOLLAR STORES OF
MARYLAND, LLC aka FAMILY
DOLLAR STORES OF MARYLAND,
INC.

*

*

*

Defendant.

* * * * *

NOTICE OF REMOVAL

COMES NOW, Defendant Family Dollar Stores of Maryland, LLC, incorrectly named herein as “Family Dollar Stores of Maryland, LLC aka Family Dollar Stores of Maryland, Inc.” (“Family Dollar”), by and through its undersigned counsel, hereby gives notice of removal of the above action from the Circuit Court for Baltimore City, Maryland (“Circuit Court”), to the United States District Court for the District of Maryland, pursuant to 29 U.S.C. §§ 1332(a), 1441 and 1446. As set forth below, this Court has original diversity jurisdiction over this action pursuant to 28 U.S.C. § 1332. All requirements for the removal of this action are met through the allegations contained in the pleadings filed in this Circuit Court and in this Notice of Removal.

In support of this Notice of Removal, Defendant states as follows:

1. There is pending in the Circuit Court for Baltimore City, Maryland, a Complaint styled Alma Minor v. Family Dollar Stores of Maryland, LLC aka Family Dollar Stores of Maryland, Inc., Case No. 24-C-20-003980 (the “State Court Action”). The Complaint in the

State Court Action was filed on or about September 18, 2020. A copy of the Complaint is attached hereto as Exhibit A.

2. Defendant first received a copy of the Complaint in the State Court Action on or about October 23, 2020. There have been no further proceedings in the State Court Action.

3. This Notice of Removal is filed within thirty (30) days of the date upon which Defendant first received a copy of the Complaint, and is therefore timely pursuant to 28 U.S.C. § 1446(b).

4. The State Court Action is properly removed under 28 U.S.C. § 1441(a), because the State Court Action is subject to the original jurisdiction of the Court pursuant to 28 U.S.C. § 1332, as explained below.

5. Plaintiff is a resident of Baltimore City, Maryland. *See* Exhibit A.

6. Family Dollar is a limited liability company formed under the laws of the Commonwealth of Virginia with its principal place of business in the Commonwealth of Virginia and thus is a domiciliary of the Commonwealth of Virginia. *See* Exhibit B. Family Dollar Store, LLC is a wholly-owned subsidiary of Family Dollar Stores, Inc., which is a Delaware corporation with its principal place of business in Virginia. *See* Exhibit C.

7. Plaintiff's Complaint seeks compensatory damages in excess of seventy-five thousand dollars (\$75,000). *See* Exhibit A.

9. This action is properly removed on grounds of diversity jurisdiction because (a) complete diversity of citizenship exists between Plaintiff and Family Dollar and (b) the amount in controversy herein exceeds the sum or value of \$75,000.

10. Written notice of the filing of this Notice of Removal will promptly be given to Plaintiff and the Clerk of the Circuit Court for Baltimore City, Maryland, as required by 28 U.S.C. § 1446(d).

WHEREFORE, Defendant Family Dollar Stores of Maryland, LLC, incorrectly named herein as “Family Dollar Stores of Maryland, LLC aka Family Dollar Stores of Maryland, Inc.” respectfully requests that this case proceed before this Court as an action properly removed.

Respectfully submitted,

/s/ Sandra T. Carson

Sandra T. Carson (#24699)

MINTZER SAROWITZ ZERIS

LEDVA & MEYERS, LLP

810 Gleneagles Court, Suite 304

Towson, Maryland 21286

Tel: 410.583.8081

Fax: 410.821.1608

gbogris@defensecounsel.com

scarson@defensecounsel.com

Attorneys for Family Dollar Stores of Maryland, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of November, 2020 a true and accurate copy of the foregoing was served via the Court's CM/ECF system and was also mailed, U.S. Mail, first-class, postage prepaid, to the following:

John R. Roche, Esq.
Aarron N. Johnson
Ballenger & Roche, LLC
The World Trade Center, Baltimore
401 East Pratt Street, Suite 2341
Baltimore, Maryland 21202
Phone: (410) 837-9150
Fax: (410) 837 – 9152
jroche@br-lawyer.com
ajohnson@br-lawyer.com
Attorneys for Plaintiff

/s/ Sandra T. Carson
Sandra T. Carson (#24699)